

MINUTES
HIGHLAND CITY COUNCIL MEETING
Tuesday, July 28, 2016

Highland City Council Chambers, 5400 West Civic Center Drive, Highland, Utah 84003

PRESENT: Mayor Mark S. Thompson, conducting
Councilmember Brian Braithwaite
Councilmember Dennis LeBaron
Councilmember Tim Irwin
Councilmember Ed Dennis

STAFF PRESENT: Nathan Crane, City Administrator/Community Develop. Director
Gary LeCheminant, Finance Director
JoD'Ann Bates, City Recorder
Brian Gwilliam, Chief of Police
Tim Merrill, City Attorney

EXCUSED: Councilmember Rod Mann
Erin Wells, Assistant to the City Administrator
Justin Parduhn, Public Works O&M Director

OTHERS: Brandon Balkman, Dave Krammer, Kyle Randall, Hunter Rauson, Truman Glasgow, Cade Nielson, Casey Nielson, Ron Campbell, Dan Reeve, Bill Owen, Breely Anson, Ethan Shumway, Rob Sunderlage.

The meeting was called to order by Mayor Mark S. Thompson as a regular session at 7:03 p.m. The meeting agenda was posted on the *Utah State Public Meeting Website* at least 24 hours prior to the meeting. The prayer was offered by Councilman Dennis LeBaron and those assembled were led in the Pledge of Allegiance by Kyle Randall, a scout.

APPEARANCES:

Brandon Balkman, Highland resident. He would like to give the Council an update regarding the Disc Golf Course that was installed up in the Beacon Hills area. He indicated it is extremely popular and they have people from all over the state and even out of the state that come to use the course. He thanked the Council for their support and the parks department for their help in maintaining and the up keep of the park.

PRESENTATION:

Parliamentary Procedures – Tim Merrill, City Attorney

Tim Merrill indicated state law required some form of order for Council Meetings. The two primary objectives for having rules of order are 1) to maintain civility, composure and decorum, and 2) for clarity. He feel the council is doing very well on the first objective. They have some heated discussions but he has never seen them cross the line where it becomes uncontrolled. The publics composure is sometimes more difficult to control due to emotions. He distinguished the difference between public comment where people simply comment on issues and public clamor when a person has an opinion based purely on emotion not facts. The council does all they can do to listen to the residents and the Mayor is the one that keeps the decorum of the meeting and keeps things moving along. What he wants to focus on is the clarity portion of the meetings. He feels the council needs to work on the motion they give and ensure they are clear and not conjunctive. Tim reviewed simplified rules that are used in regards to motions and the different types of motions.

General discussion continued regarding the different motions and proper use of those motions.

CONSENT ITEMS:

1. **MOTION: Approval of Meeting Minutes for the City Council Regular Session – June 7, 2016**
2. **MOTION: Approval of Meeting Minutes for the City Council Regular Session – June 14, 2016**
3. **MOTION: Final Plat Approval– Beacon Hills, Plat G Phases 1 and 2 located at 5960 West 12500 North**
Pulled by Councilman Brian Braithwaite
4. **MOTION: Final Plat Approval - Blackstone, 85-unit townhome subdivision located at the Northeast Corner of Town Square East and Parkway East**
5. **ORDINANCE: Annexation – Holdman Property located at 11500 North 6000 West**
Pulled by Councilman Brian Braithwaite

MOTION: Councilman Dennis LeBaron moved the City Council approve 1, 2, and 4 consent items on the agenda.

Councilman Tim Irwin seconded the motion.
Unanimous vote, motion carried.

PULLED CONSENT ITEMS:

(3) MOTION: Final Plat Approval– Beacon Hills, Plat G Phases 1 and 2 located at 5960 West 12500 North

Pulled by Councilman Brian Braithwaite

Councilman Brian Braithwaite stated that under the findings it states it's an R-1-20 zoning when in fact it is an R-1-40 zoning. Under recommendation and proposed motion the 5th item states "The developer install 2 flashing speed signs on Angels Gate". In the last meeting they specifically stated they wanted those to be installed within 3 months of recording of the plat.

Nathan Crane indicated he would make that change to reflect that time frame.

MOTION: Councilman Brian Braithwaite moved the City Council approve a final plat of Beacon Hills Plat G Phase 1 and 2 located at 5960 West 12500 North with the changes being: Correction of the zoning from R-1-20 to R-1-40 and the developer install 2 flashing speed signs on Angels Gate within 3 months of recording the plat.

Councilman Dennis LeBaron seconded the motion.

Unanimous vote.

Motion carried

(5) ORDINANCE: Annexation – Holdman Property located at 11500 North 6000 West

Pulled by Councilman Brian Braithwaite

Councilman Brian Braithwaite indicated that in the Ordinance it stated that that the Highland City Council on March 25, 2014 accepted the said position when the actual date was March 16, 2016.

MOTION: Councilman Brian Braithwaite moved the City Council approve an ordinance accepting the annexation of 7.25 acres located at 11500 North 6000 West

Councilman Ed Dennis seconded the motion.

Those voting aye: Brian Braithwaite, Dennis LeBaron, Tim Irwin, and Ed Dennis.

Those voting naye: none

Motion carried

ACTION ITEMS:

- 6. MOTION: Highland Hollow Trail System** – Construction of Highland Hollow Park north of Canterbury North Subdivision in conjunction with Eagle Scout Projects

BACKGROUND: In June, Levi Kammer approached Highland City about the possibility of building a trail system in the Highland Hollow area for his Eagle Scout project. Six Eagle Scout candidates will have roles in this project. Levi Kammer's project will be the black trail loop.

Hunter Ransom's project will be the purple trail loop. Jaxon VanWagoner's project will be the blue and green trail loops. Cade Nelson's project will be placing benches along the trails. Kyle Randall's project will be the placement of trail and nature signs. Truman Glasgow's project will be the placement of trail head signs.

The land that the trail system would be on is all Highland City property on an area that is planned as a park. The trail system will have two entrances – one off of the Murdock Canal trail and the second at the parking lot area shown in the map. The trails will be available for all non-motorized uses including walking, running, and bike riding.

Just like any other city park, this trail system would create additional liability for the City. We plan on managing that risk through signage posted at the trail entrances that include rules that have been pre-approved by City Attorney Tim Merrill as well as by conducting at least monthly walk-throughs of the park.

While the trail will all be on Highland City property, North Utah County Water Conservancy District owns property northwest of the park area and Provo River Water Users Association, Central Utah Water Conservancy District, and Jordan Valley Water Conservancy District all have water systems in the area. Erin spoke to representatives from each of these water companies. Each said that they had no concerns with the project and just wanted to be sure that they would still be able to access their facilities. Staff plans on keeping them apprised of our progress as this project moves ahead.

Once the trails are active, the Parks Department will maintain the trails by walking them at least once a month to check for any trail deviations, problems with trash, etc. In addition, the area Mountain Bike teams are required to give service hours every year and the Lone Peak Bike Team has committed to helping with the maintenance/clean-up of the park as needed.

Levi Kammer, Lone Peak Mountain Bike Team Coach stated since they last met there has been some significant progress made. They have verified property lines and been in touch with all the water entities to ensure communication and keeping them updated. They have petitioned for a grant with Utah Parks and are working on other sponsors. This is a minimal cost project, it mostly will take man power and labor. In talking with another city with this type of park their city budget for the park is \$5000. and \$3000. of that is for bridges and bridge repair. This area only has one existing bridge that is in excellent condition, so the cost will be very minimal and feels they can get grants and volunteers from the area to help with the park.

Councilman Tim Irwin inquired about the grant and its requirements including future ongoing expense.

Levi Krammer responded that the grant he is applying for does not commit the city to anything. Whatever they are asking for they need to match with a private donor or any other source. He feels they have access to the sponsors that they can have on board to match the grant funds. They have spoken with Josh Castleberry, city Parks Superintendent and feels what they want to do will require minimal maintenance from city staff.

Councilman Brian Braithwaite inquired if they had talked and addressed the issue of parking. His concern would be, is there enough parking and is the dirt road going to be inviting to have cars drive down there. They need to think of how people would be using this so there is not a negative impact on the neighbors in that area or along the trails.

Josh Castleberry, City Parks Superintendent indicated that at the end of the paved road there are parking stalls already painted, they need to be freshened up but they are there. Josh stated they have talked about blocking off the end of the road at the dirt. Rather that would be rocks, a gate or bollards, he feels some type of blocking needs to be done. If parking becomes a large issue in the future they would have to look at a parking lot in the park itself.

Further discussion continued regarding other possible parking areas to accommodate the park users.

Mayor Thompson commented that he feels gates are what needs to be in place there. It allows access for all utility companies and emergency vehicles that need to get into that area.

MOTION: Councilman Brian Braithwaite moved the City Council authorize the use of the Highland Hollow property for use as a trails for hiking, walking, and biking and be used in conjunction with the Eagle Scout project as presented.

Councilman Tim Irwin seconded the motion.

Discussion was held regarding the different uses that could be achieved in the area and the protocol regarding the different activities.

Unanimous vote.

Motion carried.

7. MOTION: Beacon Hills Trail Head - Muti-use Trailhead in the Beacon Hills Subdivision north of the intersection of New London and Angels Gates

BACKGROUND: Ethan Shumway and Kevin Brooks have prepared a proposal that would use the land east of the upper pressurized irrigation pond in Beacon Hills as a multi-use trailhead. Proposed improvements include parking, portable restrooms, split rail fencing, signage and a trash receptacle. They have raised approximately \$20,000 for construction of the trailhead. They are requesting that the City provide in-kind materials, labor, and play the monthly expense of the portable restroom. The cost of a portable restroom is \$93.00 a month. This will provide weekly service.

Brandon Balkman resident, indicated they are looking for approval to improve the Hogs Hollow Trailhead. The cost for improvements are covered fully by private funds. This would create a drive path, turnaround and parking for 24 vehicles and 3 extended trailer parking areas for equestrian users. The trailhead is located at the far end of the Beacon Hills subdivision and residents have agreed on the location to be east of the water basin. Currently there is a paved road that ends at the building owned by the city and he feels there would be no increase on traffic due to the trailhead already existing. This just formalized and improves the existing trail head. Highland residents have privately raised \$20,000. on behalf of the Corner Canyon Foundation to improve the trailhead as proposed. They have had plans drawn up and have been communicating

with the residents regarding the plans and what this will include. It would be welcomed if Highland City could provide any in-kind materials and labor to support the proposal but it is not necessary. They would propose Highland City cover the monthly ongoing expense associated with providing a portable restroom and a trash can but again not necessary. This trailhead connects with the Hog Hollow Trail and all the trails that are developed in Draper. This is a heavily used trailhead and they are just looking at making it more improved and better for not only those that use it but the residents around that area.

Councilman Brian Braithwaite inquired regarding the costs of placing a garbage can and portable restroom for this area.

Josh Castleberry, City Park Superintendent responded that some garbage services are included in the contract the city has with Republic Services but does not know if this would be able to be included in that and does not have an amount at this time. He feels that in this area a non-plumbed restroom would not be ideal and would lean more towards a portable restroom.

Mayor Thompson stated he feels that if the city is going to have a trailhead it indicates the city is going to accommodate the needs of the public while they are there. To not have any facilities he feels is not the appropriate way to handle it.

Councilman Brian Braithwaite responded he feels they should move forward with the project. He indicated that there are various areas around the city that residents are encouraged to use where the city has not provided any facilities.

MOTION: Councilman Tim Irwin moved the City Council approve the Beacon Hills Trail Head with the costs being fully covered by private funds.

Councilman Ed Dennis seconded the motion.

Unanimous vote.

Motion carried.

8. PUBLIC HEARING / RESOLUTION: Amended Budget – Final Amendments to the 2015-2016 Fiscal Year Budget

BACKGROUND: The City is required to keep expenditures within budget. As the Council is aware, accurately forecasting all the expenditures and needs of the community is difficult; therefore, budget amendments may be necessary to comply with State requirements. It is necessary to amend the budget to adjust for various unanticipated expenditures in certain funds of the City.

Gary LeCheminant City Finance Director, indicated there was a spreadsheet sent to the council for the amendments. Gary reviewed some of the more specific amendments to include revenue changes which enables the city to not use any funds out of savings (equity fund) in order to

balance the final budget. He reviewed some of the significant revenue and expenditure funds that effected the amendments.

Mayor Thompson opened the public hearing.

Ron Campbell, resident and Planning Commissioner. Ron stated he feels staff has done a great job with the budget. He feel there is more that can be done with putting more money in roads in the future and the study of Public Safety so we are not locked into the kind of funds the city continues to spend.

Hearing no further comments, Mayor Thompson closed the public hearing.

Comments were made regarding some changes to the new current fiscal year budget.

Councilman Brian Braithwaite commented on a fee that has been charged for the Timpanogos Special Service District and where it should be correctly applied.

Nathan Crane indicated the Timpanogos fee discussion was out of the scope of the agenda item and suggested it be placed on a future agenda for further discussion.

MOTION: Councilman Ed Dennis moved City Council approve an Ordinance Amending the 2015-2016 fiscal year budget to include the additional items as presented.

Councilman Tim Irwin seconded the motion.

Those voting aye: Ed Dennis, Tim Irwin, Dennis LeBaron and Brian Braithwaite.

Those voting nye: none

Motion carried.

MAYOR, CITY COUNCIL & STAFF COMMUNICATION ITEMS

(These items are for information purposes only and do not require action or discussion by the City Council)

- Finance Software – Gary LeCheminant, Finance Director

Gary LeCheminant explained he had been looking at software that produces a dashboard of information. American Fork City uses a company called Open Gov. which is on their website and allows them to provide their residents various financial information from revenues, expenses, fund type and amounts. The idea is to be transparent and have the ability to see the financial state of the city. Gary reviewed different things the program allows them to do, costs and yearly expenses.

General consensus of the Council was to spend the funds on something that would be more useful to the residents. Detailed reports can be placed on the website but would not need to be done in the manner this program offers.

- Road Maintenance Plan, Open House Report – Nathan Crane, City Administrator

Nathan Crane indicated the road open house was held and they had approximately 50 people in attendance. Nathan indicated one of the key items is the change in the type of road repair that is needed. They are indicating that some type of mill and overlay is needed for 23.6% of the roads while on 5% total reconstruction is needed. Those numbers are significantly different than the previous study. Another key item is that 75% of the roads were evaluated for structural distress which previously required complete reconstruction with a require budget of approx. 16.2 million. Based on the core samples only 6% actually require reconstruction the other require a number of different treatments. That lowers the estimated cost from 16.2 million to 5 million dollars. The next step in the project are finalize the map and prioritize the road based on a certain criteria and then it will be presented to the Council.

- Mayor Thompson reviewed the information items.
 - Road Plan – Already have date set for reporting
 - Election Policy –

JoD'Ann Bates, City Recorder indicated she had met with Ed Barfuss and they are reviewing the issues that were encountered at the last election. They will continue to meet and work on the candidate packet to help address those issues. This will be brought back to the council for review after the first of the year.

- Council Policy and Procedures – Will be addressed in the next couple of months
- Determine Park Use – Still ongoing
- Public Works Storage Status -

Mayor Thompson indicated he has tried to contact the owner of the property next to the Public Works building on 5600 west and he is waiting for a response.

Ed Dennis inquired of a motion made that instructed staff to look at other city owned property before looking at the purchase of other property.

Nathan Crane indicated there was discussion in an executive session that gave the direction to staff to review the potential property. There has been no formal decision made.

Mayor Thompson stated that he believes they have looked at all the city owned property for that purpose and have had public hearings on two of them. He feels the public comments would be the same for all the locations that is why they are looking at adding onto a piece of property already owned by the city.

- Tim Merrill, City Attorney inquired about firework restrictions and if the city will be posting those restrictions this year.

Fire Chief Freeman indicated he does not feel there are any new areas that need to be added at this time. An Executive Order by the Mayor is all that needs to happen for those restrictions to be in place.

ADJOURNMENT

MOTION: Councilman Brian Braithwaite moved the City Council to adjourn the City Council Meeting of June 28, 2016.

Councilman Ed Dennis seconded the motion.

Unanimous vote. Motion carried.

Meeting adjourned at 8:46 p.m.

JoD'Ann Bates, City Recorder

Date Approved: August 16, 2016